

Message Text

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22-71

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AID-05

COME-00 EB-07 FRB-03 TRSE-00 XMB-02 OPIC-03 CIEP-01

LAB-04 SIL-01 OMB-01 HUD-01 CU-02 /086 W

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R 230906Z SEP 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 589

C O N F I D E N T I A L SECTION 1 OF 2 MANILA 14648

E O 11652: GDS

TAGS: PINT, RP

SUBJ: FIRST SESSION OF LEGISLATIVE ADVISORY COUNCIL CONCLUDES

REF: MANILA 14481

SUMMARY: LEGISLATIVE ADVISORY COUNCIL (BATASAN BAYAN) CONCLUDED TWO-DAY SESSION EVENING SEPT 22 AFTER ADOPTING SIX RESOLUTIONS. ONE INCLUDES QUESTIONS TO BE ASKED IN OCT 16 REFERENDUM AND ANOTHER APPROVES GOVERNMENT'S 1977 BUDGET. ALL RESOLUTIONS ADOPTED UNANIMOUSLY. ONLY DIFFERENCES OF OPINION DISCERNIBLE IN TOTALLY CONTROLLED FORUM CONCERNED POWERS PRESIDENT SHOULD EXERCISE AFTER NEW LEGISLATURE CREATED, RECORD OF FORMER CONGRESS AND AGE OF MEMBERS OF NEW LEGISLATURE. YOUNGER MEMBERS ESPOUSED MAXIMALIST POSITION ON PRESIDENTIAL POWERS. MRS. MARCOS PARTICIPATED IN DISCUSSION AND WAS SINGLED OUT FOR SPECIAL PRAISE BY HER HUSBAND. ONLY UNSCRIPTED DEVELOPMENT WAS DEMONSTRATOR IN GALLERY WHO SHOUTED OUT DURING DISCUSSION OF THREAT POSED BY CHRISTIAN LEFT. INCIDENT WAS NOT REPORTED BY GUIDED PRESS. NEXT SESSION OF LAC SET FOR AFTER OCT 16 REFERENDUM/PLEBISCITE. MORE DETAILED REPORT AND ANALYSIS OF LAC BEING SENT VIA AIRGRAM. END SUMMARY.

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1. THE LEGISLATIVE ADVISORY COUNCIL (LAC) -- BATASAN
BAYAN (BB) -- ENDED TWO-DAY (SEP 21-22) SESSION
EVENING SEPT 22. RESOLUTIONS ADOPTED BY NEW BODY INCLUDED:

(A) EXPRESSION OF REGRET ON MINDANAO EARTHQUAKE;

(B) REJECTION OF REMUNERATION FOR BB-MEMBERS;

(C) AMENDMENT OF PRESIDENTIAL DECREE 991 TO GIVE
COMELEC SOLE SUPERVISORY AUTHORITY OVER THE OCT 16
REFERENDUM/PLEBISCITE;

(D) SETTING SEPT 21 TO OCT 7 AS PERIOD FOR REGISTRATION
OF VOTERS FOR OCT 16 REFERENDUM;

(E) APPROVAL OF BUDGET FOR 1977;

(F) APPROVAL OF DECREE CONTAINING QUESTIONS TO BE
SUBMITTED TO PEOPLE IN OCT 16 REFERENDUM/PLEBISCITE.

2. AUTHORITATIVE TEXT OF QUESTIONS FOR OCT 16 REFERENDUM/
PLEBISCITE NOT YET AVAILABLE. LAC JUSTICE COMMITTEE'S
ORIGINAL PROPOSAL WAS AMENDED IN SPECIAL CAUCUS (NOT
OPEN TO PUBLIC) WHICH MET PRIOR TO CLOSING SESSION.
QUESTIONS, HOWEVER, CARRIED IN SEPT 23 "EVENING POST" ARE:

(1) DO YOU WANT MARTIAL LAW LIFTED?

(2) WHETHER OR NOT YOU WANT MARTIAL LAW TO BE
CONTINUED, DO YOU APPROVE THE FOLLOWING AMENDMENTS TO
THE CONSTITUTION:

(A) THERE SHALL BE IN LIEU OF THE INTERIM
NATIONAL ASSEMBLY (INA), AN INTERIM BATASAN PAMBANSA (BP)
COMPOSED OF NOT MORE THAN 120 MEMBERS INCLUDING THE
PRESIDENT, REGIONAL REPRESENTATIVES AND THOSE CHOSEN BY
THE PRESIDENT FROM HIS CABINET;

(B) THE INTERIM BP SHALL HAVE THE SAME POWERS
AND ITS MEMBERS SHALL HAVE SAME FUNCTIONS AS INA EXCEPT
FOR THE POWER TO RATIFY TREATIES;

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(C) THE PRESIDENT WILL CONVENE BP WITHIN
THIRTY DAYS FORM ELECTION AND SELECTION OF MEMBERS AND
SHALL PRESIDE OVER THE BP UNTIL A SPEAKER IS CHOSEN.
INCUMBENT PRESIDENT WILL BE PRIME MINISTER AND CONTINUE
TO EXERCISE ALL OF HIS POWERS EVEN AFTER INTERIM BP
ORGANIZED. AMENDMENT SPECIFIES PRESIDENT SHALL CONTINUE
TO EXERCISE POWERS AND PREROGATIVES UNDER 1935 AND 1973
CONSTITUTIONS;

(D) THE PRESIDENT (PRIME MINISTER AND HIS CABINET) SHALL EXERCISE ALL THE POWERS AND FUNCTIONS AND DISCHARGE RESPONSIBILITIES OF THE REGULAR PRESIDENT AND HIS CABINET AND SHALL BE SUBJECT ONLY TO SUCH DISQUALIFICATIONS AS THE PRESIDENT MAY PRESCRIBE;

(3) THE INCUMBENT PRESIDENT SHALL CONTINUE TO EXERCISE LEGISLATIVE POWERS UNTIL MARTIAL LAW IS LIFTED;

(F) WHENEVER IN THE JUDGEMENT OF THE PRESIDENT THERE EXISTS GRAVE EMERGENCY OR THREAT OR IMMINENCE THEREOF, HE MAY, IN ORDER TO MEET THE EXIGENCY, ISSUE NECESSARY DECREES, ORDERS OR LETTERS OF INSTRUCTION WHICH SHALL FORM PART OF THE LAW OF THE LAND;

(G) THE BARANGAYS AND SANGGUNIANGS SHALL CONTINUE AS PRESENTLY CONSTITUTED BUT THEIR FUNCTIONS, POWERS AND COMPOSITION MAY BE ALTERED BY LAW;

(H) ALL PROVISIONS OF THE CONSTITUTION NOT INCONSISTENT WITH ANY OF THE PROPOSED AMENDMENTS SHALL CONTINUE IN FORCE AND EFFECT.

3. GREATER PART OF TWO-DAY LAC SESSION WAS DEVOTED TO BUDGET DISCUSSION WITH MEMBERS ASKING OBVIOUSLY PLANTED QUESTIONS. DESPITE THIS, BUDGET COMMISSIONER JAIME LAYA HANDLED HIMSELF EXTREMELY WELL AND GAVE EXERCISE SEMBLANCE OF SPONTANEITY. MRS. MARCOS MADE SPECIAL PITCH FOR HOUSING. IN ADDITION TO BEING MEMBER OF LAC STEERING AND RULES COMMITTEES, SHE IS CONFIDENTIAL

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ALSO CHAIRPERSON OF THE HOUSING AND HUMAN SETTLEMENTS COMMITTEE. THE METRO MANILA GOVERNOR SPOKE OF NEED FOR MORE HOUSING STARTS AND TALKED AIRILY ABOUT NEW HOUSES BUILT OF SULFUR BLOCKS TO BE AIR-CONDITIONED BY SOLAR POWER. SHE CLAIMED HOUSES WOULD COST 5,000 PESOS AND PROTOTYPE WILL BE BUILT NEAR NEW

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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FM AMEMBASSY MANILA

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CONVENTION CENTER. PRESIDENT COMMENDED HIS WIFE AND SHE WAS APPLAUDED ENTHUSIASTICALLY BY LAC AND SPECTATORS.

4. DURING DISCUSSION OF REFERENDUM QUESTIONS, PRIMARY "DISAGREEMENT" WAS BETWEEN THOSE WHO FELT LANGUAGE SUBMITTED BY JUSTICE SECRETARY ABAD SANTOS WAS ADEQUATE AND "MARCOS MAXIMALISTS" WHO WISHED TO INSURE THAT NEW LEGISLATIVE BODY WOULD NOT CRIMP PRESIDENT'S POWER IN ANY WAY. PARTICULARLY ACTIVE IN DISCUSSION WERE YOUNG KABATAANG BARANGAY (KB) MEMBERS WHO WANTED GUARANTEES THAT NEW LEGISLATURE WOULD NOT DEGENERATE INTO SAME BODY AS DEFUNCT CONGRESS. YOUNGSTERS' CHEEK TOO MUCH FOR SOME OF THE FORMER CONGRESS MEMBERS. CEBU GOVERNOR GULLAS AS WELL AS MANILA MAYOR BATASING PROTESTED YOUNG MEMBERS DENIGRATION OF OLD CONGRESS. PRESIDENT AND MRS. MARCOS SMILED HAPPILY AS YOUNG KB MEMBERS WENT THROUGH THEIR CAREFULLY REHEARSED PATTERN. JUSTICE SECRETARY ABAD SANTOS ALSO RESISTED SUGGESTIONS BY KB REPRESENTATIVES THAT VOTING AGE FOR PLEBISCITE BE REDUCED FROM 18 TO 15 AND THAT PROSPECTIVE MEMBERS OF BP NOT HAVE TO MEET AGE REQUIREMENT.

5. ONLY UNPROGRAMMED INCIDENT OCCURRED WHEN THE DELEGATE FROM TARLAC ASKED JUSTICE SECRETARY IKBAD SANTOS WHETHER CHRISTIAN LEFT POSED THREAT TO
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GOVERNMENT. QUESTION WAS NOT GERMANE, BUT ABAD SANTOS (WHO PRECIPITATED CURRENT CHURCH-STATE DEBATE WITH CRITICISM OF "ABUSE OF THE PULPIT" - SEE MANILA 9979) BEGAN

TO ANSWER. AT THIS JUNCTURE, THERE WAS SHOUT FROM GALLERY. PRESIDENT MARCOS HAMMERED HIS GRAVEL FOR ORDER. SHOUT CONTINUED UNTIL PROTESTOR WAS REMOVED FROM GALLERY. TELEVISION CAMERAS CHOSE NOT TO FOCUS ON GALLERY NOR WAS INCIDENT REPORTED IN CONTROLLED PRESS. STERN VISAGED MARCOS REMINDED THAT INCIDENT

INDICATED IMPORTANCE OF QUESTION ON CHRISTIAN LEFT BUT THEN SAID "MERE CRITICISM OF GOVERNMENT DID NOT CONSTITUTE SUBVERSION."

6. MEETINGS OF LAC CARRIED LIVE BY ALL TELEVISION NETWORKS SEPT 21 AND 22. PRESIDENT WAS STAR PERFORMER WIELDING GRAVEL ENTHUSIASTICALLY AND DRAWING ON HIS PREVIOUS PARLIAMENTARY EXPERIENCE WHICH HE WAS NOT SHY IN CALLING ATTENTION TO. THERE WERE SEVERAL FAMILIAR EXCHANGES BETWEEN THE PRESIDENT AND MRS. MARCOS AS WELL AS BETWEEN THE PRESIDENT AND HIS SISTER, GOVERNOR MARCOS KEON OF ILOCOS NORTE. AT CONCLUSION OF SESSION, PRESIDENT WHO WAS ASSIDUOUSLY FED LINES BY FAWNING MEDIA COMMENTATORS, AGREED THAT LAC HAD CONDUCTED ITSELF LIKE A "REAL PARLIAMENTARY BODY" AND THAT THERE WAS "NEW QUALITY OF DISCUSSION" AS OPPOSED TO LEVEL OF DEBATE IN OLD CONGRESS.

7. IN HIS FINAL REMARKS TO BB, PRESIDENT SAID THERE WOULD HAVE TO BE A LEGISLATIVE BODY IN PLACE IF MARTIAL LAW WAS TO BE LIFTED. IN THIS CONNECTION, CHIEF JUSTICE CASTRO TOLD MANILA LIONS CLUB AUDIENCE SEPT 22 HE EXPECTED LIFTING OF MARTIAL LAW WITHIN TWO YEARS.

8. COMMENT: FIRST SESSION OF LAC PROCEEDED SMOOTHLY WITH EXCEPTION OF INTERRUPTION FROM GALLERY. PRESUMABLY, PRESIDENT FEELS EXERCISE WELL WORTH THE EFFORT ALTHOUGH OCCASIONALLY HE SEEMED RESTIVE AS

LONG WINDED MEMBERS PLAYED TO THE TELEVISION CAMERAS.
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QUESTION 2 WITH AMENDMENTS SEEMS UNUSUALLY COMPLICATED AND THERE MIGHT BE EFFORT TO REFINE IT FURTHER. DEPARTMENT WILL NOTE REFERENDUM IS NOW REFERENDUM/PLEBISCITE IN VIEW OF CONSTITUTIONAL PROVISION THAT AMENDMENTS ARE VALID WHEN RATIFIED BY MAJORITY OF VOTES IN PLEBISCITE. LAC WAS TOTALLY CONTROLLED BY MARCOS AT EVERY STATE OF THE PROCEEDINGS. WHEN THERE SEEMED TO BE EVEN HINT OF A PROBLEM, THE SESSION WAS

SUSPENDED AND A CAUCUS (NOT SHOWN ON TELEVISION) QUICKLY WORKED THINGS OUT. LAC HAS BEEN BILLED AS A REHEARSAL FOR

THE NEW LEGISLATURE WHICH EVENTUALLY MAY BE CREATED.
IF THIS THE CASE, IT IS MORE CERTAIN THAN EVER THAT
NEW LEGISLATIVE BODY WILL BE LEGISLATURE IN NAME ONLY.
BUT THIS IS WHAT THE PRESIDENT WANTS. MORE DETAILED
DESCRIPTION OF LAC PROCEEDINGS AND ANALYSIS OF WHAT
PRESIDENT THINKS HE MAY HAVE GAINED FROM EXERCISE
BEING SENT VIA AIRGRAM.
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